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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,775	04/19/2005	Ingo Hutter	PD020097	6044

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EXAMINER	
ALI, FARHAD	

ART UNIT	PAPER NUMBER
2446	

MAIL DATE	DELIVERY MODE
04/02/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/531,775	HUTTER, INGO	
	Examiner	Art Unit	
	FARHAD ALI	2446	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 January 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/13/2009 has been entered

Status of Claims:

Claims 1-11 are pending in this Office Action.

Claims 1-2 and 7-10 are amended.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng (US 2003/0005130 A1).

Claim 1

A method for monitoring audio/video connections hereinafter called AV connections which have been set up in a network of distributed stations which are networked with one another via at least one of a wire-free and a wire bus connections (Paragraph [0014], "The resource manager and the path manager are configured to manage device and network resources that are distributed in heterogeneous networks, such as resources distributed in networks using mixed Ethernet, 1394, 802.11, HyperLAN2, USB, HPNA"), wherein

at least two types of stations exist in the network; one type of station being at least one control device for initiating, controlling and removing an AV connection from said AV connections (Paragraph [0023], "UPnP controllers 161 are hereinafter referred to as user control points (UCPs)"), and the other type of station being a controlled device being at least one of an AV server device and an AV renderer device (Paragraph [0024], "controlled, or slave, devices"), wherein

between at least two controlled devices said AV connection can be set up by said at least on control device, and a first device of said at least two controlled devices monitors said AV connection to determine whether a second device of said at least two controlled devices, which is AV connected to said first device, has sent a logging-off message whereby when said logging-off message is detected, said first device ends,

without an instruction from said at least one control device, the AV connection with said second device (Paragraph [0027], “This invention provides the necessary features and functions to the enabling logic 120 to facilitate efficient and effective transfer of audio-video information, or other time-sensitive information among devices on heterogeneous networks”, and Paragraph [0037], “In a preferred embodiment, an application is provided the option of managing resource reservation, path setting, and scheduling activities directly, or it can request the action manager 310 to manage these activities. By providing an action manager 310, the application can be free from the concerns of detailed resource management and path management. Preferably, network resources are allocated and the path is set up immediately prior to the time that an action is to take place, to maximize the use of network resources, although device resources can be reserved well before the effective time by the action manager 310, or the application”, and Paragraph [0056], “When the resource manager 320 receives a departure notification, it can either delete the entry, or mark the entry to indicate the departure of the resource”, and in Figure 3, #120 includes the device manager module, action manager module, resource manager module, and path manager module, where #120 can be implemented Per device).

Cheng does not disclose when said at least one control device is in a standby mode.

However, as disclosed in the applicant's specification under Background Of The Invention, "The control point device initializes and configures both devices for the AV connection, so that the desired data stream can also be sent. Once an AV connection

such as this has been set up, the control point device does not need to control the rest of the data transmission, and the UpnP AV specification does not contain any stipulations that the control point must be active all the time throughout the duration of the AV connection that has been set up" (Paragraph [0005]) in order that "the control point device may also be disconnected from the network" (Paragraph [0005]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of Cheng to include "Once an AV connection such as this has been set up, the control point device does not need to control the rest of the data transmission, and the UpnP AV specification does not contain any stipulations that the control point must be active all the time throughout the duration of the AV connection that has been set up" as taught by the applicant's admitted prior art in order that "the control point device may also be disconnected from the network" (Paragraph [0005]). Cheng teaches in paragraph [0037] that "an application is provided the option of managing resource reservation, path setting, and scheduling activities directly, or it can request the action manager 310 to manage these activities. By providing an action manager 310, the application can be free from the concerns of detailed resource management and path management" wherein Cheng uses the term application to refer to the User control point as clearly shown in Fig 3 #161. Since Cheng teaches that the functions of control device can be outsourced to an action manager, it would be obvious to one of ordinary skill in the art at the time in view of the applicant's admitted prior art for the control device to be in standby mode.

The control point, in the prior art sense, could control these features, or like the embodiment discussed above, can be outsourced to an action manager 310, which may be implemented per device.

Claim 2

The method as claimed in claim 1, wherein when said first device is AV connected to said second device, said first device sends a signaling request to the stations in the network when the AV connection has remained unused for a first specific time, and when the signaling request remains unanswered by the second device which is AV connected to the first device, the first device autonomously ends the setting up of the AV connection (Paragraph [0048]-[0050], “A requester sends a request, which may be either a "RESERVE" message or a "RELEASE" message, to any known resource manager. Each resource manager executes a continuous loop, waiting to receive the message, at 410. If, at 415, the message is a RESERVE request, the manager attempts to reserve all the resources along the path and under its responsibility, via the loop 420-435. At 425, the receiving resource manager first tries to find a resource yet to be reserved. If found and the resource is under the responsibility of the receiving resource manager, it tries to reserve the resource. If the reservation is successful, at 430, it modifies the reservation request to indicate that this resource has been reserved, and proceeds to find the next yet-to-be-reserved resource. The process 420-435 is repeated until the resource manager has either successfully reserved all the resources in the path

and under its responsibility or it has failed to reserve one such resource. In the case of a failed reservation, at 430, the resource manager sends a FAILED message to the requester, at 480. The resource manager then releases all the resources that it has reserved for this task, and sends a RELEASE message to all prior resource managers, terminates the reservation for this path, at 485, and updates the resource management database 325, at 490. If, via the loop 420-435, the resource manager has successfully reserved all the resources under its responsibility, it will check, at 440, whether there are still more resources to be reserved. If not, the resource manager sends a SUCCESS message to the requester, at 445, updates its corresponding resource management database 325, at 490, and terminates the reservation for this path. If, at 440, there are more yet-to-be-reserved resources in the path, it marks the resources that it just reserved as "reserved", forwards the request to the next resource manager, at 450, and waits for an acknowledgement message from the next resource manager. If, at 455, it does not receive an acknowledgement message before a timeout, it sends a FAILED message to the requester, at 480, releases all the resources it has reserved for the request, sends a RELEASE message to all the prior resource managers, updates its corresponding resource management database 325, at 490, and terminates the reservation for this path. If, at 455, the resource manager receives an acknowledgement message before a time out, the resource manager updates its corresponding resource management database 325, at 490, loops back to 410, and repeats the above process for each subsequent request").

Claim 3

With regard to claim 3, it is similarly rejected according to claim 2.

Claim 4

With regard to claim 4, it is similarly rejected according to claim 2.

Claim 5

The method as claimed in claim 1, wherein at least one of audio and video data transmitted via the AV connection (Paragraph [0027], "This invention provides the necessary features and functions to the enabling logic 120 to facilitate efficient and effective transfer of audio-video information, or other time-sensitive information among devices on heterogeneous networks).

Claim 6

The method as claimed in claim 1, wherein the data transmissions in the network carried out in accordance with the rules of the UPnP Standard (Paragraph [0009], "It is an object of this invention to provide a system, method, and architecture to support the transfer of audio-video information via a UPnP network").

Claim 7

With regard to claim 7, it is similarly rejected according to claim 1.

Claim 8

With regard to claim 8, it is similarly rejected according to claim 2.

Claim 9

With regard to claim 9, it is similarly rejected according to claim 2.

Claim 10

With regard to claim 10, it is similarly rejected according to claim 2.

Claim 11

With regard to claim 11, it is similarly rejected according to claim 6.

Response to Arguments

4. Applicant's arguments filed 01/13/2009 have been fully considered but they are not persuasive.

The applicant has argued that Cheng is not concerned with and does not disclose or suggest "whether a second device of said at least two controlled devices, which is AV connected to said first device, has sent a logging-off message" and "when said logging-off message is detected, said first device autonomously ends, without an

operation from said at least one control device, the AV connection with said second device" as recited in claim 1.

The examiner respectfully disagrees.

Paragraph [0007] of the applicant's specification discloses "The invention solves the problem in that a portion of the control point device functionality is implemented in media server and media renderer devices for an AV connection".

Cheng teaches in paragraph [0037], "In a preferred embodiment, an application is provided the option of managing resource reservation, path setting, and scheduling activities directly, or it can request the action manager 310 to manage these activities. By providing an action manager 310, the application can be free from the concerns of detailed resource management and path management" wherein Cheng uses the term application to refer to the User control point as clearly shown in Fig 3 #161. Furthermore, figure 3, #120 includes the device manager module, action manager module, resource manager module, and path manager module, where #120 can be implemented per device. Since each device has an action manager capable of managing the activities of the application (control device), the examiner asserts that the device managing the activities of the application or control device (analogous to the applicant's first device), can end the connection in response to a regular logging-off message received by the other controlled device (analogous to the applicant's second device), without an operation from the control device which has requested the action manager to manage these activities.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHAD ALI whose telephone number is (571)270-1920. The examiner can normally be reached on Monday thru Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Farhad Ali/
Examiner, Art Unit 2446

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2446